

Short-term Rental Accommodation Local Planning Policy

Responsible directorate: Planning and Community Development

Objectives:

- To encourage good quality, well managed short-term rental accommodation ~~for use by visitors~~ that does not compromise the amenity of residential areas or nearby residents.
- To provide guidance and development ~~provisions~~ requirements for operators seeking to establish short-term rental accommodation within the City of Joondalup.
- To establish a clear framework for the assessment and determination of applications for short-term rental accommodation.

1. Authority:

This Policy has been prepared in accordance with Schedule 2, Part 2 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* which allows the local government to prepare local planning policies relating to planning and development within the Scheme area.

2. Application:

This policy applies to all ~~'Bed and Breakfast', 'Holiday House', 'Holiday Accommodation', and~~ 'Serviced Apartment' and 'Unhosted Short-term Rental Accommodation' land uses in all zones.

3. Definitions:

~~"Bed and Breakfast" as defined by Local Planning Scheme No. 3 means a dwelling:~~

~~(a) — used by a resident of the dwelling to provide short-term accommodation, including breakfast, on a commercial basis for not more than four (4) adult persons or one family; and~~

~~(b) — containing not more than two (2) guest bedrooms.~~

“dwelling” as defined by the Residential Design Codes means a building or portion of a building being used, adapted, or designed or intended to be used for the purpose of human habitation on a permanent basis by a single person, a single family, or no more than six (6) persons who do not comprise a single family.

~~**“Holiday House”** as defined by Local Planning Scheme No. 3 means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast.~~

“Holiday Accommodation” as defined by Local Planning Scheme No. 3 means two (2) or more dwellings on one lot used to provide short-term accommodation for persons other than the owner of the lot.

“Hosted Short-term Rental Accommodation” as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015* means any of the following:

- a. Short-term rental accommodation where the owner or occupier, or an agent of the owner or occupier who ordinarily resides at the dwelling, resides at the same dwelling during the short-term rental arrangement.
- b. Short-term rental accommodation that is an ancillary dwelling where the owner or occupier, or an agent of the owner or occupier who ordinarily resides at the other dwelling on the same lot, resides at that other dwelling during the short-term rental arrangement.
- c. Short-term rental accommodation that is a dwelling on the same lot as an ancillary dwelling where the owner or occupier, or an agent of the owner or occupier who ordinarily resides at the dwelling, resides at the ancillary dwelling during the short-term rental arrangement.

“R-Codes” means the Residential Design Codes.

“Serviced Apartment” as defined by Local Planning Scheme No. 3 means a group of units or apartments providing:

- a. self-contained short stay accommodation for guests; and
- b. any associated reception or recreational facilities.

~~**“short-term accommodation”** as defined by Local Planning Scheme No. 3 means temporary accommodation provided either continuously or from time to time with no guest accommodated for periods totalling more than three (3) months in any 12-month period.~~

“Short-term Rental Accommodation” as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015*:

- a. means a dwelling provided, on a commercial basis, for occupation under a short-term rental arrangement; but
- b. does not include a dwelling that is, or is part of, any of the following:
 - i. An aged care facility as defined in the *Land Tax Assessment Act 2002* section 38A(1).
 - ii. A caravan park.
 - iii. A lodging-house as defined in the *Health (Miscellaneous Provisions) Act 1911* section 3(1).

- iv. A park home park.
- v. A retirement village as defined in the Retirement Villages Act 1992 section 3(1).
- vi. Workforce accommodation.

“Short-term Rental Arrangement” as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015* means an arrangement under which:

- a. a dwelling, or part of a dwelling, is provided for occupation by a person; and
- b. the person occupies the dwelling, or part of the dwelling, for a period or periods not exceeding a total of three (3) months in any 12-month period.

“Unhosted Short-term Rental Accommodation” as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015* means short-term rental accommodation that:

- a. is not hosted short-term rental accommodation; and
- b. accommodates a maximum of 12 people per night.

4. Statement:

The City of Joondalup supports diversity of accommodation types to facilitate tourism and other activities within its district. In considering development applications for short-term rental accommodation, the City will take into consideration the siting, design and management of the short-term rental accommodation to ensure such accommodations are compatible with, and avoid adverse impacts on, the amenity of adjoining and surrounding areas.

5. Details:

5.1. General development requirements for all short-term rental accommodation:

5.1.1. Car parking standards Application information:

- a. ~~Car parking bays are to be provided in accordance with the following table:~~

<u>Use Class</u>	<u>Number of on-site parking bays</u>
<u>Bed and Breakfast</u>	<u>One car parking bay per guest bedroom. In addition, car parking for permanent residents is to be in accordance with the R-Codes.</u>
<u>Holiday House</u>	<u>In accordance with the R-Codes clause 5.3.3 Location B requirements.</u>
<u>Holiday Accommodation</u>	<u>In accordance with the R-Codes clause 5.3.3 Location B requirements.</u>
<u>Serviced Apartment</u>	<u>In accordance with the R-Codes clause 5.3.3 or 6.3.3 Location B requirements.</u>

In addition to the standard development application submission requirements, written justification is required to be provided as to how and why the proposed accommodation will be compatible with the adjoining area and is consistent with the objectives of this Policy.

5.1.2. Car parking location and design Car parking requirements:

- a. The required number of car parking bays is to be provided in accordance with the R-Codes or relevant local planning policy that amends or replaces the R-Codes.
- b. a- Car parking access and design is to be in accordance with the following requirements:

Design Element	Development Requirement
a. Car parking location	i. All car parking is to be provided on-site; verge parking is not permitted. ii. In the 'Residential' zone, the provision of car parking bays must not detract from the residential appearance of the dwelling or dominate the streetscape.
b. Car parking design	i. Car parking shall be designed in accordance with the R-Codes.
c. Vehicle access	i. Vehicle access is to be provided in accordance with the R-Codes.

5.1.3. Management plan:

- a. A management plan is required to be submitted at the time of lodging an application for development approval for short-term rental accommodation. The requirement for the operation of the short-term rental accommodation in accordance with the management plan will be included as a condition of any development approval issued.
- b. The management plan is to include, but not be limited to the following matters:
- A code of conduct detailing the expected behaviour and obligations of guests. The code of conduct shall be displayed in a prominent position within the premises.
 - Management of complaints, in the form of a Complaints Management Procedure (which ~~must~~ is to include the provision of the short-term rental accommodation owners/managing agents contact telephone number for adjoining neighbours and be updated/remain current).
 - Control of anti-social behaviour and the potential conflict between guests and permanent residents of the area, detailing the expected behaviour of guests and control of noise.
 - Details regarding guest check-in and check-out procedures.
 - Management of car parking.
 - Details regarding waste management which must include specifying the expectations on guests with regard to general rubbish and bin collection (if applicable).
 - Compliance with Strata By-Laws (if applicable) in the form of a Statement of Compliance.

5.1.4. Guest numbers and register:

- a. Short-term rental accommodation subject to this policy is to have a maximum occupancy of two (2) persons per bedroom.
- b. A register of all persons occupying the short-term **rental** accommodation is required to be kept ~~on the premises of the short-term accommodation or at such other place as agreed by the City~~ and shall be open to inspection on demand by an authorised City officer.
- c. The register shall:
 - i. show the name and address of every occupant staying within the accommodation and the unit occupied; and
 - ii. include the date of arrival and date of departure of the occupants of the accommodation.

5.1.5. Signage:

- a. Any signage associated with short-term **rental** accommodation is to be in accordance with the City of Joondalup **Signs Advertisements Local Planning** Policy.

5.1.6. Application information:

- a. ~~In addition to the management plan referred to above and the normal development application submission requirements, the following additional information is required to be submitted with an application for development approval for short-term accommodation:~~
 - i. ~~Justification as to how and why the proposed accommodation will be compatible with the adjoining area and is consistent with the objectives of this Policy.~~

5.1.6. Public consultation:

- a. Refer to the City's Planning Consultation Local Planning Policy.
- b. ~~Where an application involves short-term accommodation in a strata title arrangement, the strata body will be consulted. Prior to submission, applicants are encouraged to seek clarification as to whether or not the operation of short-term accommodation is compliant with regulations governing ownership of the property i.e. provisions of the *Strata Titles Act 1985* and associated by-laws.~~

5.2 — Development requirements for a Bed and Breakfast:

- a. ~~The owner/resident of the accommodation must reside on-site at all times while the 'Bed and Breakfast' is in operation.~~
- b. ~~Meals may only be provided for 'Bed and Breakfast' guests.~~

5.2. **5.3 Development requirements for a Holiday House Unhosted Short-term Rental Accommodation:**

- a. ~~Applications for development approval~~ Development applications for a 'Holiday House' 'Unhosted Short-term Rental Accommodation' within an existing dwelling will be processed as a change of use.

- b. ~~Applications for development approval~~ Development applications for a purpose built 'Holiday House' 'Unhosted Short-term Rental Accommodation' are required to meet the relevant single house, grouped dwelling, or multiple dwelling requirements of the ~~Residential Design Codes R-Codes~~, the City of Joondalup Residential Development Local Planning Policy and any relevant structure plan, local development plan, or local planning policy.

5.3. ~~5.4~~ Development requirements for Holiday Accommodation:

- a. Development Applications for ~~development approval for~~ 'Holiday Accommodation' within existing grouped or multiple dwelling developments will be processed as a change of use.
- b. ~~Applications for development approval~~ Development applications for purpose built 'Holiday Accommodation' are required to meet the relevant grouped or multiple dwelling development requirements of the ~~Residential Design Codes R-Codes~~, the City of Joondalup Residential Development Local Planning Policy and any relevant structure plan, local development plan, or local planning policy.
- c. Tandem car parking arrangements (one bay behind another) will only be considered where the bays are allocated to the same holiday accommodation unit.

5.4. ~~5.5~~ Development requirements for Serviced Apartments:

- a. ~~Applications for development approval~~ Development applications for use of a single 'Serviced Apartment' within an existing grouped dwelling or multiple dwelling development will be processed as a change of use. ~~and are expected to provide dedicated reception facilities and may provide recreational facilities.~~
- b. Development Applications for purpose built 'Serviced Apartment' units shall be subject to the siting and design requirements applicable under the R-Codes and/or relevant local planning policy, ~~and any relevant~~ structure plan, or local development plan. If applicable, 'Sserviced Apartments' are required to be designed to separate short-term rental accommodation from permanent occupancy dwellings located on the same site or building.
- c. Where a development involves a combination of permanent occupancy dwellings and 'Sserviced Apartments', parking areas for permanent residents and their visitors shall be clearly separated and delineated from the parking area for the 'Sserviced Apartments'.
- d. Tandem car parking arrangements (one bay behind another) will only be considered where the bays are allocated to the same 'Sserviced Apartment'.
- e. If required, applications for purpose built 'Serviced Apartments' must also demonstrate the sufficient provision of facilities for the loading/unloading of goods on the site.

Creation date:	September 2011 (CJ159-09/11)
Formerly:	Short Stay Accommodation Policy Short-term Accommodation Local Planning Policy
Amendments:	CJ231-12/16, CJ058-04/17, CJ184-10/18, CJ033-03/20, CJXXX-XX/25
Last reviewed:	March 2020 (CJ033-03/20) XXX 2025 (CJXXX-XX/25)
Related documentation:	<ul style="list-style-type: none">• Local Planning Scheme No. 3• Planning Consultation Local Planning Policy
File reference:	72584